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Counsel to Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:) Case No. 08-35653 (KRH)
)
CIRCUIT CITY STORES, INC., <u>et al.</u> , ¹) Chapter 11
)
Debtors.) (Jointly Administered)
)
)
)

SCHEDULING ORDER

Upon the filing by the Trustee of the Circuit City Stores, Inc. Liquidating Trust (a)
*Notice of Substantive Hearing (Liquidating Trust's Objection to Claims Number 12898 and
14636) (Claimant- Virginia Department of Taxation)* (the "Notice"), ECF No. 1433 and (b)
*Notice and Objection to Claim of Commonwealth of Virginia Department of Taxation -
Liquidating Trusts Objection to Claim Nos. 12898 and 14636 Filed By The Commonwealth Of
Virginia Department Of Taxation* (the "Objection"), ECF No. 1070, as well as the *Response* ,
ECF No. 14136, filed by the Virginia Department of Taxation, the Court held a status hearing on
December 13, 2017 (the "Hearing"), and upon the agreement of the parties

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective federal tax identifications numbers, are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512)

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. On or before January 16, 2018, each party may submit a brief articulating its position with respect to the legal issues germane to the Objection arising out of the Virginia Supreme Court decision in the case of *Kohl's Department Stores v. Virginia Department of Taxation*. Any brief submitted after January 16, 2018, will not be considered by the Court absent further Order of this Court.

2. On January 23, 2018, at 2:00 p.m., the Court will hold a further hearing on the Objection and Response, at which time it will hear the legal arguments of each party thereon.

Dated: **Dec 27 2017**
Richmond, Virginia

/s/ Kevin R Huennekens
The Honorable Kevin R. Huennekens
United States Bankruptcy Judge

Entered on Docket: Dec 28 2017

WE ASK FOR THIS:

/s/ Paula S. Beran
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*Counsel to Alfred H. Siegel, as Trustee of the
Circuit City Stores, Inc. Liquidating Trust*

CERTIFICATION

I hereby certify that the foregoing proposed Order has been either served on or endorsed by all necessary parties.

/s/ Paula S. Beran

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Service of Entered Order:

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